

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

WILLIAM C. DAVIS,

Civil No. 09-1822 (JMR/JJK)

Plaintiff,

v.

ORDER

STATE OF MINNESOTA, BUREAU OF
CRIMINAL APPREHENSION, and
JOAN FABIAN, Commissioner of
Corrections,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated October 15, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: November 2, 2009

s/James M. Rosenbaum
JAMES M. ROSENBAUM
United States District Judge